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January 21, 2025

BY ECF

Honorable James R. Cho
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Samuel Karnes, et al. v. City of New York, et al.,
21-CV-4903 (WFK) (JRC)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department, assigned to the defense of the above-referenced matter on behalf of defendants. In that capacity, I write jointly with plaintiffs' counsel, David Rankin, Esq., to advise the Court on the status of this case. As the parties previously advised the Court in our December 16, 2024 status report, plaintiffs' counsel was finalizing a life care plan that they had hoped to provide the undersigned shortly thereafter. That subsequently occurred on December 27, 2024. The undersigned has not yet had an opportunity to meaningfully review same, but I expect to do so in short order. Once I do, I will incorporate that, as well as the other materials plaintiffs have provided since the parties' last settlement conference, into defendants' valuation of the remaining plaintiffs' claims. To that end, the parties believe that we will be in a position to participate in a second settlement conference with the Court once defendants have had sufficient time to both review the new materials – some of which are quite complex – and take the numerous steps necessary to reassess our settlement position in conjunction with same.

Accordingly, the parties respectfully request that the Court schedule a settlement conference for some time, convenient to the Court, during the weeks of March 31, 2025, or April 7, 2025. While defendants should be in a position to discuss settlement prior to that time period, myself and plaintiffs' counsel have trial schedules that would prohibit the parties from appearing before the Court prior to March 31, 2025. Specifically, plaintiffs' counsel is scheduled to try the matter of Matthews et al v. Cuomo et al., 17-CV-00503 (TJM) (ML) (NDNY), beginning on

March 8, 2025, while the undersigned is scheduled to try the matter of John Doe v. City of New York, et al., 22-CV-2690 (PKC) (KHP), beginning on March 17, 2025. We expect both cases to be tried as scheduled.

Should the Court grant this request, the parties respectfully request that the telephone conference scheduled for January 23, 2025, be cancelled.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Brian Francolla
Senior Counsel
Special Federal Litigation Division

cc: All Counsel (By ECF)